Response to Final Office Action Application No. 10/705,552

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REMARKS

Claims 1-5 are pending in the above-identified application. Claims 1-5 were rejected

under 35 U.S.C. § 102(e) as being anticipated by *Inagaki* (U.S. Patent No. 6,765,246).

Applicant previously submitted a 37 C.F.R. §1.131 declaration attesting to the fact that

the present invention was invented prior to the effective date of the *Inagaki* reference. However,

in the Advisory Action, the Examiner maintains that Applicant has not provided sufficient

evidence of diligence between the filing date of 8/21/02 of Inagaki and the effective filing date of

the instant invention. Although Applicant does not necessarily agree with the Examiner,

Applicant hereby submits a 37 C.F.R. §1.131 declaration of Ryoichi Dansho, who was the Sony

patent engineer responsible for the preparation and filing of the Japanese Patent Application to

which the present application claims priority. Mr. Dansho's declaration establishes that

Applicant's diligence in preparing a patent application during the relevant time period.

Accordingly, Applicant requests withdrawal of the present rejection and submits that the

application is in condition for allowance. Notice to that effect is requested.

Respectfully submitted,

Dated: April 28, 2006

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